

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD POWERS,

Plaintiff

V.

UNUM LIFE INSURANCE COMPANY OF
AMERICA, UNUMPROVIDENT
CORPORATION, AND ZIZIK, LASALLE &
POWERS, P.C. GROUP LONG TERM
DISABILITY PLAN,

Defendants

CIVIL ACTION NO. 04-12418 DPW

JOINT MOTION TO EXTEND ORDER OF DISMISSAL

On April 7, 2005, at the request of the parties, the Court issued a Settlement Order of Dismissal (“Settlement Order”) in the above-referenced action. This Settlement Order provided the parties thirty (60) days, or until June 7, 2005, to reopen the action if settlement is not consummated. The parties are jointly requesting a one-week extension of time to June 14, 2005, to complete the settlement papers. As grounds for this request, the parties indicate:

1. The parties have agreed upon the terms of the settlement agreement;
2. The parties have finalized the paperwork associated with the agreement and are waiting for one last signature to complete the agreement; and
3. The extension will not prejudice either party, but rather, would permit the parties to execute the agreement prior to dismissal of the action.

Wherefore, the parties respectfully request that this Motion be granted:

Respectfully submitted,

By: /s/ Mala M. Rafik
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Date: June 6, 2005